

CLIFFORD ROBINSON

July 1, 1952.—Committed to the Committee of the Whole House and ordered to be printed

Mr. LANE, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany H. R. 7365]

The Committee on the Judiciary, to whom was referred the bill (H. R. 7365) for the relief of Clifford Robinson, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the proposed legislation is to pay the sum of \$137.71 to Clifford Robinson, of Cleveland, Ohio, which sum represents the amount of the judgment and costs for which he was held liable on January 24, 1952, in a civil action in the municipal court of Cleveland, as the result of an accident which occurred in Cleveland on March 19, 1951, and which involved a United States mail truck being driven by claimant.

STATEMENT OF FACTS

The Office of the Postmaster General gives the history of this proposed legislation and recommends enactment of the bill.

Therefore, after careful consideration, the committee concurs in the recommendation of the Postmaster General and recommends favorable consideration of the bill.

The letter of the Postmaster General is as follows:

POST OFFICE DEPARTMENT,
Washington 25, D. C., May 1, 1952.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives

DEAR MR. CHAIRMAN: Reference is made to H. R. 7365 for the relief of Clifford Robinson.

I transmit the files of the Department relating to this case. Mr. Robinson was a substitute carrier in the Cleveland, Ohio, post office. He was operating a mail truck on March 19, 1951, when he collided with the rear of a car belonging to Mrs. Lillian M. Gruendel as that car came to a stop in traffic. It was snowing at the time of the accident. The streets were covered with slush and, according to the carrier, the stop lights on the private vehicle were covered with snow and therefore not visible. He applied the brakes of his truck, but, due to the slippery condition of the street, the truck slid forward into the rear of the private car.

Mrs. Gruendel filed a claim with the Department under the provisions of the Federal Tort Claims Act, but it was not in proper form for adjudication. The Department wrote to her requesting further details but, instead of providing the information sought, she brought suit against the carrier in the State court, and recovered a judgment in the amount of \$132.21. This bill is to reimburse the carrier.

Had Mrs. Gruendel presented her claim against the Department, it would undoubtedly have been paid under the provisions of the Federal Tort Claims Act, and the suit against the carrier would not have been brought. Therefore the Department recommends favorable consideration of the bill with the proviso that before the sum appropriated is paid over to Mr. Robinson, evidence of the payment of the judgment by him be secured.

This Department has been advised by the Bureau of the Budget that it would have no objection to the presentation of this report to the committee.

Sincerely yours,

V. C. BURKE,
Acting Postmaster General.

JANUARY 29, 1952.

THE MUNICIPAL COURT OF CLEVELAND
(CIVIL BRANCH)

JOHNNY KILBANE, Clerk. Room 313 City Hall

Case No.: A-204901.

Plaintiff: Lillian Gruendel, 1646 Magnolia Drive, and Motors Insurance Corp., National City Bank Building.

Defendant: Clifford Robinson.

Court costs: \$5.05.

This bill is due and should be paid immediately. The General Code of Ohio provides that, when court costs remain unpaid, execution may be issued for the collection.

To insure proper credit, make all payments of court costs direct to the clerk. Stamps not accepted as cash.

Checks and money orders should be made payable to Johnny Kilbane, Clerk.

THE MUNICIPAL COURT OF CLEVELAND
FINANCIAL RESPONSIBILITY LAW—FINDING OF FACT

I, the undersigned, for the purposes of the drivers financial responsibility law only make the following finding of fact in *Lillian Grundel, et al., v. Clifford Robinson* No. A204901.

Address of defendant (last known): 10021 South Boulevard, Cleveland, Ohio.

Date and hour of accident or offense: March 19, 1951.

Kind of operator's license, if any: Regular. No. Z-184991.

Issued by what State: Ohio. Date 1951.

If not the owner then the status of defendant: Driver.

Name of owner: United States Post Office Department. Address: Cleveland, Ohio.

License number of motor vehicle: 18341. State issuing: Ohio. Year 1951.

Date of judgment: January 24, 1952. Amount of judgment: \$132.21.

Wrongful death ----- Personal injuries ----- Property damage X.

Where defendant has been permitted to pay in installments state particulars: None.

Other information and remarks: None.

Dated March 10, 1952.

_____,
Judge.

To the clerk: Unless judgment is paid or execution stayed by ---- day of ----- 195 , forward certified copy or transcript of this judgment, together with such other information as the registrar may prescribe, to the Registrar of Motor Vehicles, Columbus, Ohio.

_____,
Judge, Municipal Court of Cleveland.

Remarks and history after judgment: Presiding judge was Mary B. Grossman: Attorneys representing Miss Grundel was Jewitt-Rheim & Jewitt, 235 Leader Building, Cleveland 14, Ohio. At this time I was unable to acquire Judge Grossman's signature.

○

